

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

APPLICANT(s): Outi Aho

SERIAL NO.: 09/774,308

ART UNIT: 2665

FILING DATE: 01/31/2001

EXAMINER: Shand,  
Robert A

TITLE: METHOD AND A DEVICE FOR TRANSFERRING  
CAPABILITY INFORMATION

ATTORNEY

DOCKET NO.: 858-010043-US (PAR)

Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REPLY BRIEF**

(37 C.F.R. §41.41)

This is in response to the Examiner's Answer mailed January  
12, 2006.

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## **I. Argument**

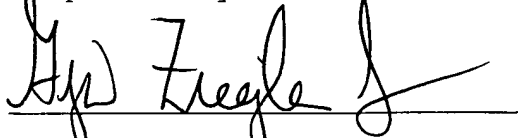
The Examiner cites the description in the cited reference Bhagwat at column 9, line 19 to column 10, line 15, but ignores that portion of the description that refers to the polling procedure required. It is indicated throughout this excerpt, that the WAT, to initiate registration, receives an invitation poll frame and replies to it by sending an invitation payload frame. Applicant submits that this polling procedure is a request to which there follows a response. Accordingly, the system of Bhagwat includes a request-response mechanism that requires a separate request.

Applicant further submits that, when the device of Bhagwat requires a new type of capability, the system of Bhagwat is not capable of delivering additional payload information unless a further invitation payload frame is sent. This practically means a reregistration of the device and possibly also a deregistration prior to reregistration. Therefore the cited reference Bhagwat does not teach the transmission of capability information without a separate request as required by the claims of this application.

It is respectfully submitted that all of the claims, as presented, are clearly novel and patentable over the prior art of record. Accordingly, the Board of Appeals is respectfully requested to favorably consider the rejected claims and to reverse the final rejections, thereby enabling this application to issue as a U.S. Letters Patent.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



Geza C. Ziegler, Jr.  
Reg. No.: 44,004

10 MARCH 2006

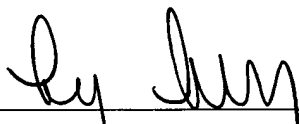
Date

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#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Board of Patent Appeals and Interferences, United States Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450



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